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NOTICE OF ALLOWANCE AND FEE(S) DUE

10945

7590

12/27/2010

NOKIA CORPORATION

c/o Ware, Fressola, Van Der Sluys & Adolphson LLP

Building Five, Bradford Green

755 Main Street, PO Box 224

Monroe, CT 06468

EXAMINER

WOO, KUI-KONG

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 12/27/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,989	01/16/2007	Benoist Sebire	915-001.082	7127

TITLE OF INVENTION: METHOD AND A DEVICE FOR RECONFIGURATION IN A WIRELESS SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/28/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop **ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

10945 7590 12/27/2010

NOKIA CORPORATION
 c/o Ware, Fressola, Van Der Sluys & Adolphson LLP
 Building Five, Bradford Green
 755 Main Street, PO Box 224
 Monroe, CT 06468

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop **ISSUE FEE** address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/28/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
WOO, KU'O-KONG	2617	370-349000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number** is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims **SMALL ENTITY** status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming **SMALL ENTITY** status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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10945	7590	12/27/2010	EXAMINER	
NOKIA CORPORATION c/o Ware, Fressola, Van Der Sluis & Adolphson LLP Building Five, Bradford Green 755 Main Street, PO Box 224 Monroe, CT 06468			WOO, KUO-KONG	
			ART UNIT	PAPER NUMBER
			2617	
DATE MAILED: 12/27/2010				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 365 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 365 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/574,989

Examiner

KUO WOO

Applicant(s)

SEBIRE ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/7/2010.
2. ☒ The allowed claim(s) is/are 1,4-13,16 and 18-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/HUY PHAN/
Primary Examiner, Art Unit 2617

/KUO WOO/
Examiner, Art Unit 2617

DETAILED ACTION

Response to Amendment

1. This office action is response to the communication filed on October 7, 2010
2. Applicant has amended claims 22 and 23 in response to the rejection of claims 22 and 23 under 35 U.S.C §101 for non-transitory computer-readable storage medium. Accordingly, the rejections of claims 22 and 23 under 35 U.S.C §101 is withdrawn.
3. Claims 1, 10-13, 16, 19-23 have been amended. Claims 2 and 17 are newly cancelled.
4. Claims 1, 4-13, 16 and 18-23 are pending this office action

EXAMINER'S AMENDMENT

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Francis J. Maguire (Reg. No 31,391) on 12/17/2010.

The amendment follows:

1. (Currently Amended) A method for reconfiguration to be performed in a wireless system utilizing a flexible layer one to transfer data over an air interface, said method comprising transmitting a transport format combination set reconfiguration message to a terminal over a certain basic physical subchannel, said transport format combination set reconfiguration message indicating one transport format combination with a certain

transport format combination identifier exclusively for signalling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size, the method further comprising

if when the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers, checking a parameter value indicating a change of a basic physical subchannel utilized by the terminal and ordered by a network, and

starting to use a new configuration indicated by the transport format combination set reconfiguration message ~~or~~ that indicates the change in the size of transport format combination identifications, otherwise staying with the existing configuration as a result of the checking.

10. (Currently Amended) An apparatus, comprising: at least one processor; and at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus at least to: to transmit a transport format combination set reconfiguration message to be delivered to a second device over a certain basic physical subchannel, said transport format combination set reconfiguration message indicating one transport format combination with a certain transport format combination identifier exclusively for signalling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size,

check a parameter value indicating a change of a basic physical subchannel utilized by the second device and ordered by the apparatus, if ~~when~~ the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers, and start to use a new configuration indicated by the transport format combination set reconfiguration ~~message or message that indicates the change in the size of transport format combination identifications~~ otherwise stay with the existing configuration as a result of the check.

16. (Currently Amended) A method for reconfiguration in a wireless system utilizing a flexible layer one to transfer data over an air interface, said method comprising receiving a transport format combination set reconfiguration message over a certain basic physical subchannel, said transport format combination set reconfiguration message indicating one transport format combination with a certain transport format combination identifier exclusively for signalling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size, and utilizing a parameter indicating a change of a basic physical subchannel ordered by a network, and the receiving of the transport format combination set reconfiguration message,

if ~~when~~ the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers.

19. (Currently Amended) An apparatus, comprising: at least one processor; and at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus at least to: a data transfer unit configured to receive a transport format combination set reconfiguration message over a certain basic physical subchannel, said transport format combination set reconfiguration message indicating one transport format combination with a certain transport format combination identifier exclusively for signalling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size, and utilize .a parameter indicating a change of a basic physical subchannel ordered by a network, and receipt of the transport format combination set reconfiguration message, ~~if-when~~ the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers.

Reasons for Allowance

6. Claims 1, 4-13, 16 and 18-23 are allowed.
7. Claims 1, 4-13, 16 and 18-23 are allowed and have been renumbered 1-18, respectively, for printing.
8. The following is a statement of reasons for the indication of allowable subject matter:

The present application comprises the following features recited limitations, which the closet prior art Eriksson (US 7,103,020 B2) reference of record and reference

cited in form PTO-1449 does not teach: Certain TFC, which has been reserved only for determining settings for transmitting or receiving information, and which pertains to one and only active TC having predefined block and CRC sizes. Therefore, Eriksson lacks the feature of "transmitting a transport format combination set reconfiguration message to a terminal over a certain basic physical subchannel, said transport format combination set reconfiguration message indicating one transport format combination with a certain transport format combination identifier exclusively for signaling use and the transport format combination relating to exactly one active transport channel with a predetermined block size and cyclic redundancy check size". Prior art fails to disclose a checking operation concerning a MS/BTS parameter because of a change in a size of TFCs in a configuration message indicating the certain TFC, which has been reserved only for determining settings for the transmitting or receiving information and which pertains to the single active TC having the predefined block and CRC sizes

According to the above, new Eriksson does not disclose or suggest all features of the method of amended claim 1. The claimed method utilizes one TFC that is selected and reserved exclusively for signaling use, and it may contain only one active transport channel and always utilize the same CRC and the same transport block size in order to unambiguously define the proper settings for signaling information. Therefore claims 1, 4-13, 16 and 18-23 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUO WOO whose telephone number is (571)270-7266. The examiner can normally be reached on 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KUO WOO/
Examiner, Art Unit 2617

/HUY PHAN/
Primary Examiner, Art Unit 2617